

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**J. S. (a minor child, by and through his
father and next best friend, John
Seawright),**

v.

Civil Case No. 2:05-cv-928-W

**Officer Curt Campbell,
in his individual capacity,
Defendant.**

PLAINTIFF'S OBJECTIONS TO EXHIBITS

COMES NOW Plaintiff objecting to the following exhibits expected to be offered by the defendant:

1. Plaintiff objects to Exhibit # 1 on the grounds that it is impermissible self-serving hearsay and excluded under Rule 802 F.R.Evid. The exception which would seem to be available under Rule 803(8) is not applicable because the report was prepared for a criminal investigation.
2. Plaintiff objects to Exhibit # 2 on the grounds that the same is irrelevant and due to be excluded under Rule 402; moreover, to the extent that it is relevant, it is due to be excluded under Rule 403 as it has the potential to be misleading and confusing to the jury. Plaintiff further objects on the grounds that it is due to be excluded under Rule 404 (a) and (b) as both character evidence and/or evidence of other crimes.
3. Plaintiff objects to Exhibit # 3. on the grounds that it is due to be excluded under Rule 404 (a) and (b) as both character evidence and/or evidence of other crimes.
4. Plaintiff objects to Exhibits # 4 to the extent that they irrelevant under Rule 402.
5. Plaintiff objects to Exhibit # 5 to the extent that they irrelevant under Rule 402.

6. Plaintiff objects to Exhibit # 6 to the extent that it is hearsay under Rule 802, in that the Plaintiff is a minor child with limited ability to appreciate the language and terms of the exhibit (Complaint) and the exhibit was drafted by a third party.
7. Plaintiff objects to Exhibit # 7 on the same grounds as set forth in Plaintiff's objection to Exhibit # 6.
8. Plaintiff objects to Bowers' Exhibit # 8 on the same grounds as set forth in Plaintiff's objection to Exhibit #6.
9. Plaintiff objects to Bowers' Exhibit # 9 on the same grounds as set forth in Plaintiff's objection to Exhibit #6.
10. Plaintiff objects to Exhibit # 10 on the grounds that the same is irrelevant and due to be excluded under Rule 402; moreover, to the extent that it is relevant, it is due to be excluded under Rule 403 as it has the potential to be misleading and confusing to the jury. Plaintiff further objects on the grounds that it is due to be excluded under Rule 404 (a) and (b) as both character evidence and/or evidence of other crimes.
11. Plaintiff objects to Exhibit #14 on the grounds that the same is irrelevant and due to be excluded under Rule 402; moreover, to the extent that it is relevant, it is due to be excluded under Rule 403 as it has the potential to be misleading and confusing to the jury. The Court has already concluded that the Defendant's interpretation of the language of this exhibit is not germane to his actions or the damages suffered by the Plaintiff.

RESPECTFULLY SUBMITTED on this the 23rd day of October, 2006.

/s/ ANDY NELMS
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One of the Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the below named parties or attorneys on this 23rd day of October, 2006.

Alex L. Holtsford, Jr.

Rick A. Howard

April Willis

/s/ ANDY NELMS
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